

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

SECURITIES AND EXCHANGE COMMISSION)	
)	
Plaintiff,)	
)	
v.)	
)	
VLADIMIR OKHOTNIKOV,)	
JANE DOE a/k/a LOLA FERRARI,)	
MIKAIL SERGEEV,)	
SERGEY MASLAKOV,)	Case No. 22 C 3978
SAMUEL D. ELLIS,)	
MARK F. HAMLIN,)	Judge Jorge L. Alonso
SARAH L. THEISSEN,)	
CARLOS L. MARTINEZ,)	
RONALD R. DEERING,)	
CHERI BETH BOWEN, and)	
ALISHA R. SHEPPERD,)	
)	
Defendants.)	
)	

**PLAINTIFF'S AGREED MOTION FOR ENTRY OF
PARTIAL JUDGMENT BY CONSENT AS TO DEFENDANT MARK F. HAMLIN**

Plaintiff Securities and Exchange Commission respectfully moves the Court for entry of Partial Judgment by Consent as to Defendant Mark F. Hamlin (“Hamlin”).

In support of this motion, the SEC shows the Court as follows:

1. The SEC filed its Complaint in this matter on August 1, 2022 (Dkt# 1) alleging, among other things, that Defendants violated the registration and antifraud provisions of the federal securities laws – specifically, Section 5 of the Securities Act of 1933 (“Securities Act”), 15 U.S.C. § 77e; Section 17(a) of the Securities Act, 15 U.S.C. § 77q(a); and Section 10(b) and Rule 10b-5 of the Securities Exchange Act of 1934, 15 U.S.C. § 78j(b), 17 C.F.R. § 240.10b-5.

2. The SEC filed a prior Agreed Motion on August 2, 2022 (Dkt# 5) seeking entry by consent of a final judgment as to Defendant Samuel D. Ellis (“Ellis”) and a partial judgment as to Defendant Sarah L. Theissen (“Theissen”). By Minute Entry on August 4, 2022 (Dkt# 8), the Court granted the prior Agreed Motion, and subsequently, on August 8, 2022, the Court entered partial judgment against Theissen (Dkt# 15) and final judgment against Ellis (Dkt# 16).

3. As with the prior Agreed Motion, Hamlin also has agreed to a partial settlement of the SEC’s claims. Attached as Exhibit 1 is his signed consent to the proposed partial judgment. This judgment obviates the need to litigate substantive liability on the part of Hamlin, and it permanently enjoins him from violating the federal securities laws at issue in the complaint as well as from engaging in certain other activity. The proposed judgment further provides that monetary relief sought by the SEC – in the form of disgorgement, prejudgment interest and a civil penalty – shall be determined by the Court at a later date on the SEC’s motion. We anticipate moving for such monetary relief after the claims against the remaining Defendants are resolved. District courts routinely have entered judgments based on this type of “bifurcated” settlement in SEC enforcement actions, and have adopted the procedures described in the attached consents for the monetary relief portion of the proceedings. *See, e.g., SEC v. Daubenspeck*, 469 F. Supp. 3d 859, 860 (N.D. Ill. 2020); *SEC v. Zenergy Int’l, Inc.*, No. 13-5511, 2016 U.S. Dist. LEXIS 127630, at *2-4 (N.D. Ill. Sept. 20, 2016); *SEC v. Integrity Fin. AZ, LLC*, No. 10-782, 2012 U.S. Dist. LEXIS 6758, at *3-4 (N.D. Ohio Jan. 20, 2012).

4. In the attached consent, Hamlin has agreed the SEC “may present the [proposed judgment] to the Court for signature and entry without further notice.” (See Ex. 1, at ¶ 15.) Under Fed. R. Civ. P. 54(b), there is no just reason to delay entry of the proposed judgment, and the SEC submits entry of the judgment will conserve judicial resources and streamline the issues

in this litigation. In addition, there is little risk of a piecemeal appeal, as Hamlin has waived his right to appeal from the judgment. (See Ex. 1, at ¶ 7.)

5. This case will proceed in full as to the remaining Defendants – Vladimir Okhotnikov; Jane Doe a/k/a Lola Ferrari; Mikail Sergeev; Sergey Maslakov; Carlos L. Martinez; Ronald R. Deering; Cheri Beth Bowen; and Alisha R. Shepperd – and is not affected by entry of the proposed judgment.

6. Pursuant to the Court’s Individual Practices, the proposed judgment in Word format is being emailed separately to Chambers.

WHEREFORE, for the reasons cited above, the SEC respectfully requests the Court grant this motion and enter the proposed judgment.

DATED: August 10, 2022

Respectfully submitted,

SECURITIES AND EXCHANGE COMMISSION

By /s/ Patrick R. Costello

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Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I certify that on August 10, 2022, I caused to be served the foregoing PLAINTIFF'S AGREED MOTION FOR ENTRY OF PARTIAL JUDGMENT BY CONSENT AS TO DEFENDANT MARK F. HAMLIN on Defendants at the addresses and by the means set forth on the attached Service List.

/s/ Patrick R. Costello

Patrick R. Costello

Service List

<p>Mark F. Hamlin c/o Ryan Willis, Christian Dysart, James Kurosad Dysart Willis 530 Hillsborough Street, Suite 200 Raleigh, NC 27603 ryan@dysartwillis.com christian@dysartwillis.com james@dysartwillis.com</p>	By electronic mail
<p>Sarah L. Theissen c/o Gregg N. Sofer and Patrick Coffey Husch Blackwell LLP 111 Congress Avenue, Suite 1400 Austin, TX 78701-4093 Gregg.sofe@huschblackwell.com patrick.coffey@huschblackwell.com</p>	By electronic mail
<p>Carlos L. Martinez c/o Matthew Wilson and David Benowitz Price Benowitz LLP 409 7th St NW, #100 Washington, DC 20004 mwilson@pricebenowitz.com David@pricebenowitz.com</p>	By electronic mail
<p>Ronald R. Deering c/o Peter King and Cindy Innocent Guerra King P.A. The Towers at Westshore 1408 N. Westshore Blvd., Suite 1010 Tampa, FL 33607 pking@guerraking.com cinnocent@guerraking.com</p>	By electronic mail
<p>Cheri Beth Bowen, <i>pro se</i> 719 Leesburg Rd. Pelahatchie, MS 39145-3142</p>	By US mail
<p>Alisha R. Shepperd c/o Matthew Mueller Fogarty Mueller Harris, PLLC 100 E Madison St., Suite 202 Tampa, FL 33602-4703 matt@fmhlegal.com</p>	By electronic mail